

PATENT

REMARKS

In the Office Action, claims 1-6 and 39 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Number 6,285,910 to Verness et al.

In the Office Action, claims 7-31 allowed.

In response thereto, claim 1 has been cancelled and claims 2, 4-6, and 39 have been amended. Accordingly, claims 2-31 and 39 are now pending. Following is a discussion of the patentability of each of the pending claims.

Independent Claim 39

Claim 39 has been rewritten in independent form including all of the limitations of base claim 1. Claim 39 recites an electrical lead comprising an electrically conductive coupling establishing electrical contact between a distal portion of a transitional coil and a proximal portion of a wire conductor. The transitional coil is proximal to the conductive coupling and distal to the wire conductor.

The Verness et al. reference discloses an implantable lead having the capability of continued function after fracture of a conductor. In one embodiment, the lead is provided with a coiled conductor (360) which extends along the length of the lead (see Figures 16-19). In addition to the coiled conductor, the lead is provided with a stranded conductor (362) which is electrically coupled to the coiled conductor at a point along the lead body located proximal to the point of expected breakage of the coiled conductor and at a point along the lead body located distal to the point of expected breakage.

The Verness et al. reference does not disclose or suggest an electrical lead comprising a transitional coil (coiled conductor) proximal to a conductive coupling. In Verness et al., a first conductive coupling connects the distal portion of the stranded conductor to a first portion of the coiled conductor, and a second conductive coupling connects the proximal portion of the stranded conductor to a second portion of the coiled conductor (see Figures 18 and 19). The first conductive coupling is distal to the

PATENT

second conductive coupling. With such a configuration, both conductive couplings are disposed within the proximal and distal ends of the coiled conductor. No where does the Verness et al. reference disclose or suggest that the transitional coil (coiled conductor) is proximal to the conductive coupling.

Furthermore, the Verness et al. reference does not disclose or suggest an electrical lead comprising a transitional coil (coiled conductor) distal to a wire conductor (stranded conductor). In Verness et al., the proximal and distal ends of the stranded conductor are disposed within the proximal and distal ends of the coiled conductor. With such a configuration, electrical continuity of the lead is maintained if the coiled conductor fails.

Accordingly, it is respectfully submitted claim 39 is in condition for allowance.

Dependent Claims 2-6

Claims 2-6 depend from claim 39 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

Independent Claim 7

In the Office Action, claim 7 is allowed over the prior art of record.

Independent Claim 8

In the Office Action, claim 8 is allowed over the prior art of record.

Independent Claim 9 and Dependent Claim 10

In the Office Action, claims 9 and 10 are allowed over the prior art of record

PATENT

Independent Claim 11 and Dependent Claims 12-14

In the Office Action, claims 11-14 are allowed over the prior art of record.

Independent Claim 15 and Dependent Claims 16-23

In the Office Action, claims 15-23 are allowed over the prior art of record.

Independent Claim 24 and Dependent Claims 25-31

In the Office Action, claims 24-31 are allowed over the prior art of record.

CONCLUSION

In light of the above claim amendments and remarks, it is respectfully submitted that the application is in condition for allowance, and an early notice of allowance is requested.

Respectfully submitted,

3/9/04

Date

Ronald S. Tamura

Ronald S. Tamura, Reg. No. 43,179
Patent Attorney for Applicant

Pacesetter, Inc.
15900 Valley View Court
Sylmar, CA 91392-9221
818/493-3157
818/362-4795 (fax)